

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

KRISTY D. HARLAN, )  
                          )  
Plaintiff,            )  
                          )  
v.                     )      Case No. 3:08-0959  
                          )      Judge Echols  
DAVID C. TORRENCE, and )  
METROPOLITAN GOVERNMENT )  
OF NASHVILLE AND DAVIDSON )  
COUNTY,                )  
                          )  
Defendants.            )

ORDER

This is a Title VII employment discrimination action in which the Magistrate Judge has entered a Report and Recommendation (“R & R”) (Docket Entry No. 18) recommending that Defendant David C. Torrence’s Motion for Judgment on the Pleadings (Docket Entry No. 13) be granted and the action dismissed as to that Defendant. Plaintiff, pro se has filed no objection to the R & R, even though she was informed in the R & R that any objection needed to be filed within ten days of receipt of the R & R. (Id. at 3).

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.” Fed.R.Civ.P. 72(b). In this case, after reviewing the entire record, the Court finds that the Magistrate Judge was correct in determining that the Motion for Judgment on the Pleadings should be granted because Plaintiff’s employer was the Metropolitan Government of Nashville and Davidson County, not Defendant Torrence, and Title VII does not allow the imposition of liability against individuals who are not employers.

Accordingly, the Court rules as follows:

- (1) The Report and Recommendation (Docket Entry No. 18) is hereby ACCEPTED and APPROVED;
- (2) Defendant David C. Torrence's Motion for Judgment on the Pleadings (Docket Entry No. 13) is hereby GRANTED; and
- (3) Plaintiff's claims against Defendant David C. Torrence are hereby DISMISSED WITH PREJUDICE and that Defendant is hereby DISMISSED from this action.

It is so ORDERED.



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ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE